

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA

v.

Criminal Action No. 2:23cr35

WHITTENEY GUYTON,
Defendant.


ORDER

The Court hereby places the parties on notice that it will consider an upward variance from the Guidelines sentencing range of 33 to 41 months set forth in the Presentence Investigation Report (“PSR”) submitted on November 25, 2024. The Court believes that the nature and circumstances of the offense and the history and characteristics of the defendant, as reflected in both the charged conduct and the other conduct described in the PSR, may warrant an upward variance in this case. The parties may address the Court’s concerns in their sentencing positions, which remain due in accordance with the deadlines set forth in the Court’s sentencing guideline order. (*See* ECF No. 43.)

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: 26 November 2024
Richmond, VA

/s/ 
John A. Gibney, Jr.
Senior United States District Judge